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GATE GOURMET KOREA CO., LTD.

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14

15 GATE GOURMET KOREA CO., LTD.,
16 a Korean company,

17 Petitioner,

18 v.

19 ASIANA AIRLINES, INC.,
20 a Korean company,

21 Respondent.

CASE NO. 2:24-cv-01265-RGK-PD

**DECLARATION OF ROBERT K.
KRY IN SUPPORT OF PROPOSED
JUDGMENT**

DECLARATION OF ROBERT K. KRY

I, ROBERT K. KRY, declare and state as follows:

1. I am a partner with the law firm MoloLamken LLP and represent petitioner Gate Gourmet Korea Co., Ltd. (“Gate Gourmet”) in this matter. I have personal knowledge of the facts set forth herein and if called as a witness, I could and would testify competently thereto.

2. Attached hereto as **Exhibit 1** is a true and correct copy of an updated claim calculation that I prepared showing the amount of principal on the award plus the amount of interest on the award that has accrued as of June 24, 2024.

3. I obtained the KORIBOR interest rates used in the calculation by downloading historical KORIBOR data from the Korea Federation of Banks website at <https://www.kfb.or.kr/eng/koribor/koribor.php>.

4. Consistent with this Court’s order granting the petition, the exchange rates used in the calculation are the rates prevailing on the date of the award, February 18, 2021. I obtained those exchange rates from the website of OANDA FX Data Services, a reputable third-party provider of historical exchange rate data, at <https://www.oanda.com/currency-converter>. True and correct copies of the relevant OANDA pages were included in Exhibit 8 to my prior declaration submitted with the petition and are attached again here as **Exhibit 2**.

5. The claim calculation attached as Exhibit 1 does not reflect a recent partial payment that Asiana made in connection with the award. I understand that the parties disagree over how to account for that payment and have requested that the Court set a schedule for further submissions on that issue.

6. In the event the Court concludes that the judgment should be reduced by the amount of the partial payment, attached hereto as **Exhibit 3** is a true and correct copy of an updated claim calculation that accounts for the partial payment by converting the payment from Korean won to U.S. dollars at the payment date exchange rate, deducting that amount from the judgment, and making corresponding interest adjustments.

1 7. I obtained the payment date exchange rate used to convert Asiana's partial
2 payment from Korean won to U.S. dollars as of the payment date from the website of
3 OANDA FX Data Services at <https://www.oanda.com/currency-converter>. A true and
4 correct copy of the relevant OANDA page is attached as **Exhibit 4**.

6 I declare under penalty of perjury that the foregoing is true and correct.

7 Executed at McLean, Virginia on June 24, 2024.

ROBERT K. KRY